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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,143	09/25/2006	Kyung-Ho Lee	2077-4 PCT US	1092
66547 7590 10/25/2010 THE FARRELL LAW FIRM, LLP 290 Broadhollow Road Suite 210E Melville, NY 11747				
EXAMINER				
HADZONOOZ, BANAFSHEH				
ART UNIT		PAPER NUMBER		
3715				
MAIL DATE		DELIVERY MODE		
10/25/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/560,143

Applicant(s)

LEE, KYUNG-HO

Examiner

Banafsheh Hadizonooz

Art Unit

3715

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

Detailed Action

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Claims 1-8 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 rejected under 35 U.S.C. 103(a) as being unpatentable over Kato (US 5,808,224) in view of Furukawa (US 6,520,776) and further in view of Ogawa et al. (US 5,906,494).

Regarding claims 1, 5 and 6, Kato discloses a portable downloader and player comprising a demodulator for demodulating the signal applied thereto from the electromagnetic signal (See Abstract and P.7, 5-22, Col.12, 5-28); a waveform shaping unit (e.g. modulator)(See fig.2, element 36); a receiver connected to an external computing device having a computing function and a sound processing function, the receiver controlling the internal operation of the karaoke data signal receiving pack while transmitting the digital voice signal and key data signal (See Col.7, 35-50); an optical disk for storing a karaoke system operating program executed and read by the external computing device, song data and background image data(See Col.1, 54-Col.2,

2 and Col.12, 5-28) and a serial communication interface (e.g. packet circuit) (See figure 2, element 35). Kato further discloses wherein the system comprises a RF receiver for receiving voice signal and key data signal transmitted via a receiving antenna (See Col.12, 5-28). Kato does not specifically disclose an A/D converter for converting the voice signal into the digital signal. However, Furukawa teaches a portable Karaoke microphone device and karaoke apparatus wherein the transmission and receiver means are operating in a radio frequency band (See Col.5, 27-33) and an A/D converter for converting the voice signal into a digital signal (See figure 7, element 41) . Therefore, it would have been obvious to one of ordinary skill in the art to modify Kato's invention in view of the teachings of Furukawa in order to design a system with more universal features, enhanced capabilities and data processing features. Kato/Furukawa does not specifically disclose an audio/key data separator. However, Ogawa discloses a training apparatus for singing wherein model vocal extractor separates demodulated vocal and data signals (See Fig.1, element 30 and Col.4, 34-53). Therefore, it would have been obvious to one of ordinary skill in the art to modify Kato/Furukawa to include the signal separator as disclosed by Ogawa in order to create the desired music effects.

With respect to claim 2, Furukawa further disclose wherein serial communication interface transmits or receives signals in a wired/wireless manner (See Col.6, 17-36). Regarding claim 3 and 4, Kato further discloses wherein the external computing device comprises a game apparatus or a personal computer (See Col. 1, 20-32).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato (US 5,808,224) in view of Furukawa (US 6,520,776) and further in view of Ogawa et al. (US 5,906,494) as applied to claims 1 and 6 above and further in view of Kuramochi (US 7,328,272).

Regarding claims 7 and 8, Kato discloses optical disks as storage medium (See Col 1, 54-Col.2, 2). Kato /Furukawa/Ogawa do not specifically disclose a DVD-ROM and a USB interface. However, Kuramochi discloses USB interface and DVD-ROM (See Col.9, 23-35 and 53-64). Therefore, it would have been obvious to one of ordinary skill in the art to modify Kato/Furukawa/Ogawa's invention to incorporate the features of Kuramochi's invention in order to take advantage of an existing technology to improve storage and communication of video and/or audio signals.

Response to Arguments

Applicant's arguments, filed on 09/09/2010, with respect to the rejection(s) of claim(s) under 35 U.S.C 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Furukawa (US 6,520,776).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Banafsheh Hadizonooz whose telephone number is 571-272-1242. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272- 7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BH

/Cameron Saadat/
Primary Examiner, Art Unit 3715